

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

PARTS WAREHOUSE INC.

PLAINTIFF

v.

Case No. 4:19-cv-00554 KGB

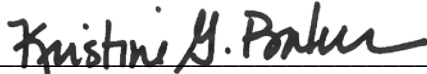
**UNION PACIFIC RAILROAD
COMPANY**

DEFENDANT

ORDER

Before the Court is plaintiff Parts Warehouse, Inc. and defendant Union Pacific Railroad Company's joint stipulation for dismissal without prejudice (Dkt. No. 13). The parties stipulate that this case may be dismissed without prejudice and that each party shall bear its own attorney's fees and costs (*Id.*, ¶ 1). In the event the case is refiled, or the matters described in the complaint in this case are subsequently involved in litigation between the parties in any forum, the parties agree and stipulate that neither party shall assert or attempt to assert any claim or defense based in whole or part on the commencement or dismissal of this case, it being the intent of the parties to return to their respective legal and equitable positions as existed prior to the commencement of this action (*Id.*, ¶ 2). The parties further agree that this stipulation may be enforced by any court or agency having jurisdiction over the parties in any future litigation involving the subject matter of this case (*Id.*, ¶ 3). For good cause shown, the Court adopts the parties' joint stipulation for dismissal without prejudice, and each party will bear their own costs and attorneys' fees (Dkt. No. 13).

It is so ordered this 12th day of June, 2020.



Kristine G. Baker
United States District Judge